

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

**REGULAR MEETING March 18, 2004**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley *(voting on items 1-71 )*

**Members:** Henry P. Szymanski *(voting on items 1-71 )*  
Scott R. Winkler *(voting on items 1-45, 47-71 )*  
Catherine M. Doyle *(voting on items 1-40,42-71 )*  
Roy B. Nabors *(voting on items 1-46, 48-71 )*

**Alt. Board Members:** Georgia M. Cameron *(voting on items)*  
Donald Jackson *(voting on items 41, 46, 47 )*

START TIME: 2:12 p.m.

End Time: 5:45 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	25503 Dimensional Variance	Edward H. Wolf & Sons, Inc., Other  Request to replace the pylon sign of the existing motor vehicle filling station open from 6 a.m. to 11 p.m. with a convenience store and a car washing facility open 6 a.m. to 9 p.m.	5110 W. Hampton Av. 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	25263 Special Use	Sandra Murrell, Other  Request to occupy the premises as a 24hr day care facility for 8 children 6wks to 12 yrs of age, Monday-Friday.	5305 N. 51st Bl. 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
3	25473 Dimensional Variance	Edward H. Wolf & Sons, Inc. Kurt Kleinhans;Other  Request to replace the signage of the existing filling station, convenience store, and car wash.	7311 W. Capitol Dr. 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	25577 Special Use	Towne Realty, Property Owner  Request to occupy the premises as a parking lot.	735 W. Wisconsin Av. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	25581 Special Use	Towne Realty Inc., Property Owner  Request to continue occupying the premises as a parking lot.	615 E. Michigan St. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	25580 Special Use	Towne Realty, Inc. Tom Beracchi;Property Owner  Request to occupy the premises as a parking lot.	625 N. James Lovell St. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
7	25494 Dimensional Variance	Edward H. Wolf & Sons Inc. Kurt Kleinhans;Other  Request to replace the pylon sign of the existing motor vehicle filling station and convenience store.	3114 N. Sherman Bl. A/K/A 4246 W. Burleigh St. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
8	25486 Dimensional Variance	Edward H. Wolf & Sons, Inc. Kurt Kleinhans;Agent  Request to modify the signage of the existing filling station.	5100 W. Burleigh St. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
9	25399 Dimensional Variance	Edward H. Wolf & Sons Inc. Kurt Kleinhans;  Request to replace the existing non-conforming 26 ft. high/ 124.55 area (sq. ft.) pylon sign on site with a new 25 ft. 7/8 in. high pylon, 93.75 sq. ft. in area.	6829 N. 76th St. 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
10	25400 Dimensional Variance	Edward H. Wolf & Sons, Inc. Kurt Kleinhans;  Request to replace the existing non-conforming 25 ft. high/ 124.55 area (sq. ft.) pylon sign on site with a new 24.87 ft. high pylon, 93.75 sq. ft. in area.	7965 N. 76th St. 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
11	25476 Dimensional Variance	Edward H. Wolf & Sons, Inc. Kurt Kleinhans;Other  Request to replace the pylon sign of the existing motor vehicle filling station, convenience store, and car wash facility.	5990 W. Good Hope Rd. 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
12	25172 Special Use	La Causa Inc., Property Owner  Request to include K4-12th grade and expand from 300-500 children to the existing school, daycare, community center, and medical center.	1643-87 S. 2nd St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled at the next available agenda.	
13	25537 Dimensional Variance	Milwaukee Habitat for Humanity Prospective Buyer  Request to construct a single family residential dwelling on the premises without the required house width.	1323 N. 37 Pl. A/K/A 1321-23 N. 37th pl 16th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	25565 Special Use	Border Patrol WI, Rich Lepping;Property Owner  Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility.	5630 W. North Av. A/K/A 5612-30 W. North Ave. 16th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available agenda.	
15	25599 Special Use	St. Mark A M E Church Carl Birks;Property Owner  Request to continue occupying the premises as social service facility.	1530 W. Atkinson Av. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

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16	25207 Special Use	Border Patrol WI, Richard Lepping ; Property Owner  Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility (Monday-Sunday 10:00am-Midnight).	5751 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That existing landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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17	25583 Special Use	Younis Abdelhamid, Lessee  Request to continue occupying the premises as a fast-food/carry-out restaurant.  Action: Granted 10 yrs.  Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.  5. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.  6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	714 E. Brady St. 3rd Dist.
18	25538 Special Use	1033 Associates, Jane Harris;Property Owner  Request to continue occupying the premises as offices for an advertising agency.  Action: Granted 10 yrs.  Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	1031 N. Astor St. 4th Dist.

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19	25554 Special Use	Milwaukee Center For Independence Property Owner  Request to combine 3 parcels and construct a parking lot on the premises.	822-30 N. 20th St. A/K/A 822-30 N. 20th St. & 837R N 19th St. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscape plans meeting the intent of city code section 295-405 for Type 'B' landscaping are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Plans must also include a buffer to the north abutting residential property.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	



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20	25570 Special Use	Towne Realty, Inc., Property Owner  Request to continue occupying the premises as a surface parking lot.	101 W. Michigan St. A/K/A 105-11 W. Michigan Ave. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code.</li> <li>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
21	25576 Special Use	Towne Realty, Inc., Tom Bernacchi;  Request to continue occupying the premises as a parking lot.	801 W. Wisconsin Av. A/K/A 801-17 W. Wisconsin Ave. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code.</li> <li>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

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22	25578 Special Use	Towne Realty Inc., Property Owner  Request to continue occupying the premises as a parking lot.  Action: Granted 2 yrs.  Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner install trees and shrubs in accordance with the landscape plan approved by the Department of City Development on October 4, 1993. Landscaping must be installed within 60 days of the approval of this special use weather permitting.</li> <li>5. That the petitioner shall be responsible for continuous landscape maintenance including plant material replacement on a seasonal basis if such material is no longer comparable in size to the plant list specification, and inconsistent with the typical form/shape of that species because of dieback, stunting or damage.</li> <li>6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	626 W. Wisconsin . 4th Dist.
23	25584 Special Use	Border Patrol WI, Rich Lepping;Property Owner  Request to occupy the premises as a fast-food/carry-out restaurant with a drive through facility.  Action: Adjourned  Motion: This item has been adjourned at the request of the applicant and will be rescheduled at the next available agenda.	2210 W. Wisconsin Av. 4th Dist.

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24	25589 Special Use	Thanks A-Lot, LLC, Bonnie Bockl Joseph;Property Owner  Request to continue occupying the premises as a surface parking lot.  Action: Granted 2 yrs.  Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That existing landscaping and screening is maintained in a manner that meets the intent of city code.  5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	843-63 N. Plankinton Av. 4th Dist.
25	25600 Special Use	Uihlein Prop. LLC, Property Owner  Request to continue occupying the premises as a parking lot.  Action: Granted 2 yrs.  Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the petitioner shall be responsible for continuous landscape maintenance including plant material replacement on a seasonal basis if such material is no longer comparable in size to the plant list specification, and inconsistent with the typical form/shape of that species because of dieback, stunting or damage.  5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	503 N. Broadway . A/K/A 503-07 N. Broadway 4th Dist.

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26	25601 Special Use	EPA LLC, Property Owner  Request to continue occupying the premises as a parking lot.	511 N. Broadway . 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner shall be responsible for continuous landscape maintenance including plant material replacement on a seasonal basis if such material is no longer comparable in size to the plant list specification, and inconsistent with the typical form/shape of that species because of dieback, stunting or damage.</li> <li>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	
27	25558 Special Use	James J. Schrimpf, Brewery Credit Union;Property Owner  Request to construct an addition to the existing financial institution (credit union).	1351 N. Martin L. King Dr. A/K/A 1345 N. Martin L. King Dr. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

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28	25567 Special Use	Midtown Auto Body Repair Inc. Property Owner	3873 N. 9th St. 6th Dist.
		Request to continue occupying the premises as motor vehicle repair, painting, and body shop.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all previous conditions of the Board regarding this property are complied with.</p> <p>5. That no work or storage of vehicles occurs in the public right of way, including in the alley at the rear of the site.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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29	25579 Special Use	Janet L. Fitch, Property Owner  Request to relocate (from a different parcel) a residential dwelling in the rear portion of the premises causing it to have multiple principal buildings on 1 parcel.	1825B N. 2nd St. A/K/A 1825 N. 2nd St. 6th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	
30	25427 Special Use	Eric S. Upchurch, Lessee  Request to occupy the premises as a religious assembly hall.	2823 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant obtains a certificate of occupancy and complies with all State commercial codes for places of assembly.</li> <li>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

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31	25509 Special Use	School Sisters of St. Francis/ St. Joseph's Church, Lessee  Request to occupy a portion of the premises as a social service facility.	1545 S. Layton Bl. A/K/A 1545-55 S. Layton Blvd. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
32	25511 Special Use	Bouathong Vangsoulatada, Property Owner  Request to occupy the premises as a religious assembly hall.	2316 W. National Av. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.  5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	

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33	25568 Special Use	Scorsone Automotive Inc., Lessee  Request to add a motor vehicle sales facility to the existing motor vehicle repair facility.	7200 W. Good Hope Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>5. That landscaping is implemented in accordance with the landscape plan submitted to the Board of Zoning Appeals on 3/5/04.</li> <li>6. That there is no increase in signage.</li> <li>7. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>8. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</li> <li>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	



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34	25585 Special Use	Russ Darrow 76th Street Superstore LLC d/b/a Russ Darrow Kia; Lessee  Request to continue occupying the premises as a motor vehicle repair and sales facility.	8380 N. 76th St. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code.  5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	
35	25598 Dimensional Variance	South Community Organization, Inc. Property Owner  Request to construct a single-family dwelling without the minimum front facade width.	5615 N. 38th St. A/K/A 5615-17 N. 38th St. 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That this Variance is granted to run with the land.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
36	25485 Special Use	Jon Petrie, Lessee  Request to occupy the premises as a car wash facility.	1825 S. Kinnickinnic Av. A/K/A 1823-25 S Kinnickinnic Ave. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all car wash activity is conducted inside of the building.</li> <li>5. That all wastewater is contained on site.</li> <li>6. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>7. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</li> <li>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
37	25510 Special Use	Yarellie Alvarez, Lessee  Request to occupy the premises as a second-hand store (appliance store).	711 W. Historic Mitchell St. A/K/A 709-13 W. Historic Mitchell St. 12th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That window display areas are used only for merchandise display and are not used for storage.</li> <li>7. That there is no outdoor display of merchandise.</li> <li>8. That the applicant does not have any exterior display of products or merchandise.</li> <li>9. That the applicant does not display any exterior signs or banners except those approved and installed in conjunction with a sign permit.</li> <li>10. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
38	25441 Special Use	Gracie Vinson, Lessee  Request to occupy the premises as a day care center for 45 children infant to 12 yrs. of age, Monday-Saturday 7:00 a.m. - Midnight.	3821 S. Howell Av. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Ald. and will be rescheduled at the next available hearing.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
39	25619 Dimensional Variance	Christy Montgomery, Prospective Buyer  Request to construct a single-family residential dwelling without the minimum building facade width.	1820 N. 19th St. 17th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That this Variance is granted to run with the land.	
39a	25603 Dimensional Variance	Leandro Tato, Property Owner  Request to construct an attached garage without the required rear and side setbacks	2111 E. Park Pl. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That these Variances are granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	25335 Special Use	<p>Endeavour Group Investments, LLC Prospective Buyer</p> <p>Request to occupy the premises for a coffee shop with a drive-through facility and 2 fast-food/carry-out restaurants.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors.</p> <p>Vote: 4 Ayes, 0 Nays, 1 S. Winkler Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code for Type B landscaping must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>7. That the glazing requirements of s.295-605-2-i must be met.</li> <li>8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</li> <li>9. That alley access for motor vehicles exiting the drive-thru facility is eliminated.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	2110 E. Oklahoma Av. 14th Dist.

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
41	25066 Special Use	First Payday Loan of Wisconsin, LLC d/b/a First Payday Loan; Lessee  Request to occupy the premises as a payday loan agency.	5570 N. 76th St. A/K/A 5574-76 N. 76th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
42	25522 Dimensional Variance	James S. Taylor, Property Owner  Request to divide the existing lot and create a lot that is less than the minimum required lot area.	2429 S. Superior St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	25523 Dimensional Variance	James S. Taylor, Property Owner  Request to divide the existing lot and construct a residential dwelling without the minimum required lot area.	2425 S. Superior St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That this Variance is granted to run with the land.	
44	25520 Other	Gregory S. Westphal, Property Owner  Request to modify the previously approved motor vehicle filling station and convenience store open 5 a.m. until midnight, with a car wash facility (open 24 hours) to include a fast food restaurant.	5401 N. Lovers Lane Rd. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
45	25504 Special Use	Christina Mitchell, Property Owner  Request to occupy the premise as a 24 hr. day care center for 50 children infant to 12 yrs of age Monday-Sunday and an adult day care center for 20 persons Monday-Sunday 8:00 a.m. - 6:00 p.m.	3511-17 W. Lisbon Av. 17th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	24319 Special Use Granted	Latonia Snowden Lessee  Request to occupy the premise as a Shelter Care facility for 5 children.	2423-25 N. 16th St. 17th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the petitioner continue to live on site.  5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	
47	25443 Special Use	Willie D. Weeks Sr., Property Owner  Request to continue occupying the premises as a motor vehicle repair facility with the addition of a second hand sales facility (used parts).	1819 W. North Av. A/K/A 1809-19 W. North Ave. 17th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
48	25491 Dimensional Variance Granted	Larry Mahone, Prospective Buyer  Request to construct a single-family dwelling on the premises.	1634 N. 23rd St. 17th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That the rear curb cut on the premises is restored with curb and gutter.</li> <li>5. That these Variances are granted to run with the land.</li> </ol>	
49	25449 Special Use	Arester Ward Young, Lessee  Request to occupy the premises as a day care facility for 8 children infant to 12 yrs of age, Monday-Friday 5:00 a.m. - 11:00 p.m.	4860 N. 50th St. A/K/A 4860-62 N. 50th St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 1 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no signage is erected on site pertaining to the day care.</li> <li>5. That the play area not be utilized before 9 a.m. or after 8 p.m.</li> <li>6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
50	25588 Appeal of an Order	Charlene Smith, Lessee  Request to appeal an order from the Department of Neighborhood Services determining the premises to be a transitional living facility.	4475 N. Hopkins St. 1st Dist.
	Action:	Denied	
	Motion:	Roy Nabors moved to uphold the order. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
51	25471 Special Use	Donald Harmon, Property Owner  Request to provide services for developmentally disabled clients at the existing community based residential facility for 5 residents.	5258 N. 57th St. 1st Dist.
	Action:	Granted 1 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	
52	25336 Use Var./Dim Var.	FTH Properties LTD, Fred Holfstede; Property Owner  Request to construct a contractor's shop addition to the existing real estate sales facility (without the required glazing)	6642-44 W. Lisbon Av. 2 <sup>nd</sup> Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned by an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	25374 Appeal of an Order	James Cape & Sons, Other  Request to appeal an order issued by the Department of Neighborhood Services determining the premises to have outdoor storage on site.	1245 N. Old World Third St. 4th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to uphold the order. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 1 Nays, 0 Abstained.	
54	25499 Special Use	Janice Schmitt, Lessee  Request to occupy the premises as a day care center for 40 children , infant to 10 yrs. of age, operating Monday - Friday 6:30 a.m. - 5:30 p.m. (this will be the second day care on site, the other has 16 children and will closing in June of this year).	4240 N. 78th St. 5th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned by staff and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	24306 Special Use	Reginald & Rita Gillespie Property Owner  Request to occupy the premise as a community based residential facility for ambulatory adults (7 clients).	608 E. North Av. 6th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	
56	25401 Special Use	Selina Cain, Lessee  Request to occupy the premises as a 24hr day care facility for 24 children(8 per shift) infant to 12yrs of age, Monday-Sunday.	2609 N. 39th St. A/K/A 2609-11 N. 39th St. 7th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
57	25362 Special Use	Mary Sims, Property Owner  Request to occupy the premises as an adult family home for 2-4 individuals.	2802 N. 40th St. 7th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</p>	
58	25545 Special Use	Diljeet S. Khahra, Property Owner  Request to raze the existing structure and construct a motor vehicle filling station, convenience store, and car wash facility.	2310 W. Greenfield Av. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	25506 Special Use	Michael Rice, Lessee  Request to occupy a portion of the premises as a motor vehicle sales facility (for a maximum of 4 motor vehicles).	1553 S. 38th St. 8th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	
60	25414 Special Use	Doreatha Smith, Property Owner  Request to occupy the premises as a 24hr day care facility for 8 children per shift infant to 12yrs of age, Monday-Friday.	5327 N. 45th St. 9th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	25428 Special Use	Megan S. Martin, Lessee  Request to occupy the premises as a day care facility for 8 children 6 wks to 12 yrs of age, Monday-Friday 6:00 a.m. - 10:00 p.m..	5279 N. 44th St. 9th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there are no exterior signs or banners on site.</li> <li>5. That the play area is not utilized before 9 a.m. or after 8 p.m.</li> <li>6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
62	25387 Special Use	Glenda Hampton, Lessee  Request to occupy the premises as a social service facility.	2319-21 W. Capitol Dr. 10th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	
63	25417 Special Use	Angela Lovett, Lessee  Request to occupy the premises as a day care facility for 8 children per shift infant to 12yrs of age, Monday-Friday 6:00am-11:30pm.	2935 N. 38th St. 10th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	25505 Special Use	Tiffany Terry, Lessee  Request to occupy the premises as a community living arrangement for 4 residents.	3342 N. 54th St. A/K/A 3340-42 N. 54th St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Ald. and will be rescheduled at the next available hearing.	
65	25514 Special Use	Nicole Clark & Dorothy Outlaw, Lessee  Request to occupy the premises as a community living arrangement for 8 elderly adults.	2721 W. Townsend St. 10th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
66	25328 Other	A-Able Transmissions Inc., Lessee  Request for a clarification of the conditions of case number 23960 regarding outdoor storage and sign display.	1214 S. 6th St. 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved amend the decision in part. Seconded by Catherine Doyle	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	25489 Use Variance	Ruslan Shlyakhetko & Yelena Pyatetskaya, Property Owner	1737-39 S. 18th St. 12th Dist.
		Request to allow parking in the front yard setback on the premises.	
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That the width of the parking space is reduced to a maximum of 12 feet</li> <li>5. That if two vehicles are parked on site they will be parked in a stacked formation</li> <li>6. That landscaping and screening is provided to screen the parking area from the abutting residential properties. A landscape and screening plan must be submitted to the Board of Zoning Appeals and approved by the Zoning Administrative Group prior to the issuance of any permits.</li> <li>7. That there be a maximum of two vehicles parked on-site.</li> <li>8. That the applicant obtains a curb cut permit and paves the driveway and parking area.</li> <li>9. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	25496 Special Use	Maria J. Jenkins, Property Owner  Request to occupy the premises as a day care center for 35 children per shift infant to 12 yrs. of age, Monday-Friday 6:00 a.m. - 7 p.m.	814 S. 5th St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>q1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code; specifically, the wall sign must not exceed a maximum area of 25 square feet.</p> <p>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>7. That the applicant obtains an occupancy certificate and complies with all State commercial code requirements for institutional and educational occupancies.</p> <p>8. That the special use approval for the church on site is revoked.</p> <p>9. That a 6 ft. high chain link fence be erected on site from the point of entry on S. Fifth St. to View School.</p> <p>10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
69	25544 Special Use	Tim O'Connell/ John Poblocki, Lessee  Request to occupy the premises as an outdoor storage facility (crushed stone).	1966 S. 4th . A/K/A 1930-66 S. 4th St. 12th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
70	25413 Other	AH&S Realty, LLC, Property Owner  Request to appeal the denial of a certificate of occupancy by the Milwaukee Development Center to occupy the premises as a Mixed-waste processing facility.	2101 W. Morgan Av. 13th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
71	25002 Special Use	Makbul Sajan, Property Owner  Request to raze the existing non-conforming filling station on site and construct a new filling station and convenience store on the premises (open 5:00am-Midnight).	2043 E. North Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled at the next available hearing.	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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**Other Business:**

Board member Nabors moved to approve the minutes of the February 19, 2004 meeting. Seconded by Board member Winkler. Unanimously approved.

The Board set the next meeting for April 22, 2004.

Board member Winkler moved to adjourn the meeting at 5:45 p.m.. Seconded by Board member Szymanski. Unanimously approved.

BOARD OF ZONING APPEALS

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Secretary of the Board